

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

TRAVIS LEE HARRY,

Case No. 20-10005
Chapter 7

Debtors.

Federal Building
Charleston, West Virginia
March 6, 2020

The 341 Meeting of Creditors in the above-entitled matter came on before **SARAH ELLIS**, on the 6th of March, 2020.

APPEARANCES: **EMMETT PEPPER, Attorney at Law**
Pepper & Nason
8 Hale Street
Charleston, West Virginia 25301
Counsel for Debtor

SARAH ELLIS, Attorney at Law
Steptoe & Johnson PLLC
707 Virginia Street East, 17th Floor
Charleston, West Virginia 25326-1588
Counsel for Chapter 7 Trustee

Donna Miller-Mairs, CCR
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I N D E X

Witness: Examination

Travis Lee Harry

Examination

3

Reporter's Certificate 22

1 MR. ELLIS: Is there anyone here in the
2 matter of Travis Lee Harry, 20-10005?

3 Please raise your right hand.

4 (Witness sworn.)

5 THEREUPON,

T R A V I S L E E H A R R Y

7 being first duly sworn, was examined and testified as
8 follows:

EXAMINATION

10 BY MS. ELLIS:

11 Q Please state your name for the record.

12 A Travis Lee Harry.

13 Q Mr. Harry, you have the bankruptcy
14 information sheet before you.

15 Do you understand it?

16 A Yes.

17 Q Okay. Is this your current address?

18 A Yes.

19 Q Okay, I have your driver's license and
20 Social Security card. Those do match what is on the
21 petition. Thank you.

22 Did you read the bankruptcy petition
23 and schedules before they were filed with the court?

24 A Yes.

1 Q All right, and is this your signature?
2 A Yes.
3 Q All right. Did you list all of your
4 income and all of your assets?
5 A Yes.
6 Q Did you list all your debts and all
7 your expenses?
8 A Yes.
9 Q Okay, and have you ever filed
10 bankruptcy before?
11 A No.
12 Q All right, marital status?
13 A Married.
14 Q But your spouse is not filing with you,
15 correct?
16 A No. We live in different states,
17 separated, kind of.
18 Q Okay. Have you lived in West Virginia
19 for the last two years?
20 A Yes.
21 Q Okay, and do you pay any domestic
22 support obligations?
23 A No.
24 Q All right. You sold a house in

1 Princeton?

2 A Uh-huh.

3 Q And you bought it for 177,000?

4 A Uh-huh.

5 Q Is that correct?

6 A Yes.

7 Q How much did you sell it for?

8 A Without looking at the paperwork, I am
9 thinking it was 176.

10 Q Okay.

11 A It was the sale price and then there
12 was real estate agent fees and all of that stuff.

13 Q Okay, and was there a lien on it?

14 A Yes.

15 Q About how much was that?

16 A Again without looking at the paperwork,
17 I don't have it all memorized. I am thinking it was
18 -- right before we sold it I was notified that we had
19 to pay 20 percent of the value off. So I am guessing
20 around 140 something.

21 Q Okay, and so you got some cash out of
22 this?

23 A Yes.

24 Q Did you co-own it with your spouse?

1 A Yes.

2 Q Okay. When did you sell it?

3 A I sold it --

4 Q 2-23-19?

5 A Yes, in December.

6 Q So there is potentially 36,000 or so

7 cash. I know that is not completely accurate because

8 you had to pay realtor fees and so forth.

9 A Yes.

10 Q How much cash did you get out of it?

11 A Twenty -- just over 26,000.

12 Q And then did you split that?

13 A Actually I took every bit of it and

14 paid it to the IRS to pay back payroll taxes, and that

15 is in my bank statement also, proof of that.

16 Q Okay. All right, any other real

17 estate?

18 A No.

19 Q You have a 2014 Dodge Ram 3500?

20 A Yes.

21 Q And you value that at \$30,000?

22 A Yes.

23 Q You owe TD Auto \$26,000 on it?

24 A Roughly. I have made some payments

1 since we filed, but yes.

2 Q Okay. Are you current on that?

3 A Yes.

4 Q Insured?

5 A Uh-huh.

6 Q You going to keep that?

7 A Yes.

8 Q You have a 2015 Dodge Ram 2500?

9 A Yes.

10 Q And you value that at \$36,000?

11 A Uh-huh.

12 Q You owe United about 42,000?

13 A Yes.

14 Q And are you current on that?

15 A Yes.

16 Q Insured?

17 A Uh-huh.

18 Q You going to keep that?

19 A Yes.

20 Q You have a 2014 Four Horse Trailer?

21 A Uh-huh.

22 Q And you value that at \$20,000?

23 A Yes.

24 Q You owe First Community Bank 23,000 on

1 that?

2 A Uh-huh.

3 Q Are you current on that?

4 A Yes.

5 Q Insured?

6 A Yes.

7 Q You going to keep that?

8 A Yes.

9 Q Okay, you have a Medallion Camper. Is

10 that correct?

11 A Yes, uh-huh.

12 Q What year is that?

13 A I am trying to think on that. This

14 here won't be exact, but I think it is a 20 -- I think

15 it is a 2009, around there.

16 Q Okay, and you value it at about

17 \$12,000?

18 A Yes.

19 Q You owe First Community Bank about

20 thirteen-five on that?

21 A Yes.

22 Q And are you current on that?

23 A Yes.

24 Q Insured?

1	A	Uh-huh.
2	Q	Are you going to keep that?
3	A	Yes.
4	Q	And you have a Massey Ferguson tractor?
5	A	Yes.
6	Q	You value it at 23,000?
7	A	Uh-huh.
8	Q	You owe AGCO Financing 29,600?
9	A	Yes.
10	Q	And are you current on that?
11	A	Yes.
12	Q	Insured?
13	A	Yes.
14	Q	Are you going to keep it?
15	A	Uh-huh.
16	Q	You have a 2014 Infinity SUV?
17	A	Yes.
18	Q	And you value that at 30,000?
19	A	Uh-huh.
20	Q	You owe SunTrust 34,000?
21	A	Uh-huh.
22	Q	And you intend to surrender that?
23	A	Yes.
24	Q	Do you have any other vehicles?

1 A No.

2 Q Any other campers, trailers, boats,
3 ATVs, motorcycles?

4 A No.

5 Q Okay. You have personal property such
6 as clothing and household goods of about \$2,600.

7 Is that correct?

8 A Yes.

9 Q Okay. Do you have any retirement or
10 life insurance with a cash value to it?

11 A Huh-uh, no. My life insurance policy
12 is just term life right now.

13 Q Okay. Other than the house that we
14 discussed, have you transferred or sold or gifted
15 anything in the last four years?

16 A I am not sure if this falls into that,
17 but the camper, I did -- the loan was for the business
18 I had, and then to try to help the business, keep the
19 business afloat, I just transferred that over to my
20 personal to try to make the payments on that myself.

21 So that would be the only things that
22 would fall under that, I am sure.

23 Q All right. Any inheritance that you
24 are expecting?

1 A No.

2 Q Any one owe you any money?

3 A No.

4 Q Any lawsuits or claims against anyone?

5 A No.

6 Q Any payments on unsecured taxes in the

7 90 days before you filed bankruptcy?

8 A What was that?

9 Q I am sorry. Any payment to unsecured

10 creditors in the 90 days before you filed bankruptcy?

11 A Just maybe credit card payments or

12 something that was due, but not that I recall.

13 Q Anything over \$500?

14 A No.

15 Q All right, and you have a couple of

16 businesses.

17 Is that correct?

18 A Yes. They are closed, but they are

19 still technically with the Secretary of State

20 businesses.

21 Q Tell me about Big Whiskey Barbecue.

22 A What would you like to know?

23 Q Is it still operating?

24 A No.

1 Q Were you the sole owner?
2 A Yes.
3 Q When did it close?
4 A The beginning of January.
5 Q Where was it operating?
6 A Bluefield, West Virginia.
7 Q And did you own or lease the space?
8 A Leased.
9 Q Okay, and is it a West Virginia entity?
10 A Yes.
11 Q All right, and did the business own
12 like the restaurant equipment, chairs, tables, all
13 that stuff?
14 A Yes. There was a lien against all of
15 it, but it was technically the owner, yes.
16 Q Okay, and what has happened to that
17 equipment?
18 A Right now it is still at the location.
19 The landlord, I have spoken to him. I also knew him,
20 and he is keeping everything there until everything
21 settles and the bank collects their collateral.
22 Q Okay, who is the bank?
23 A New Peoples Bank, and there is
24 furniture and equipment at another location we were --

1 we used to lease that we subleased to someone and New
2 Peoples Bank is aware of that also.

3 So it is still there and they are, I
4 guess -- from what they told me, they are talking to
5 the people who lease the place to buy it.

6 Q So is there anything that wasn't
7 collateral?

8 A N O .

9 Q Okay. Any accounts receivable?

10 A No.:

11 Q Anything you haven't been paid on?

12 A Huh-uh.

13 Q Did you have employees?

14 A Yes .

15 Q How many?

16 A At the time of closure there was six.

17 Q And they are all paid up?

18 A Yes.

19 Q All right. Did the business have any
20 debt other than this New Peoples' debt?

21 A Yes. There was credit card debt also.

22 Q Is that included in your personal?

23 A Yes, yes. Any debt that the business
24 had that I was also personally the guarantor for is

1 all listed there, yes.

2 Q All right. So how much did you owe New
3 Peoples?

4 A There was a line of credit that I owed
5 roughly 96, 9,700 on, and it was between 59 and 60,000
6 on the secured loan.

7 Q Was the line of credit unsecured?

8 A Yes.

9 Q Was it cross-collateralized with the
10 secured debt?

11 A What does that mean?

12 Q If you default on the line of credit,
13 they can come after the equipment.

14 A No, it was completely separate.

15 Q It was just completely unsecured?

16 A Yes.

17 Q Okay. How much do you think your
18 equipment is worth?

19 What do you think they will get out of
20 it when they sell it?

21 A For what I know of the ownership and
22 what people pay for it, everything I have got there is
23 probably going to valued at around 40,000, 45
24 possibly.

1 Q Okay, anything else I need to know
2 about the business, any assets that it has that we
3 haven't talked about.

4 Did it have any vehicles?

5 A The Infinity.

6 Q Okay.

7 A That was part of the business, and
8 there was a food trailer that was a part of the
9 business.

10 Q Did we talk about that?

11 A The Infinity --

12 Q We did talk about that, right?

13 A Yes, we were surrendering that because
14 that was something that I was a guarantor for, and the
15 barbecue trailer, no, because it was just part of the
16 equipment and they -- it is considered the same thing
17 as like --

18 Q It is with Peoples Bank?

19 A Yes, just like an oven or a range, just
20 a piece of equipment.

21 Q Okay, got you. Okay, how about Range
22 Contracting?

23 A Uh-huh.

24 Q Tell me what it did and when it last

1 operated.

2 A It did just small construction projects
3 here and there, basically myself only. I would go out
4 and do carpentry work, things like that. It was a
5 couple of years back the last time it did anything.

6 Q Okay, so '18, 2018?

7 A Yes.

8 Q No employees?

9 A No employees, just me.

10 Q Are you owed any money under that
11 entity?

12 A The only thing would have been one of
13 the Chase credit cards that I was a personal guarantor
14 for, but it is listed in my information.

15 Q Okay. You were paid for all of your
16 projects that you did?

17 A Yes.

18 Q What about tools and equipment?

19 A Very little, drills, hammers, saw,
20 stuff like that.

21 Q How much do you think all of that is
22 worth?

23 A If I had to put a value to it right now
24 as old as it is, probably a couple of hundred bucks.

1 Q All right. You were the sole owner,
2 correct?

3 A Yes.

4 Q And you didn't have a store front or a
5 space for this, right?

6 A No. I just operated out of the house.

7 Q Any vehicles?

8 A No.

9 Q All right. I think there are a few
10 other businesses under -- that may be under your name.

11 Assurance Home Inspection Services, is
12 that yours?

13 A Yes.

14 Q Okay, and is it still operating?

15 A No.

16 Q When did it stop operating?

17 A I would say the last time I did a home
18 inspection was probably 2016.

19 Q Okay. Black Rock International?

20 A It actually never did anything. That
21 was a little LLC I formed in hopes of getting a
22 consulting contract.

23 Q Okay. Kenyon River Group?

24 A That is another one. It was supposed

1 to have a contract with an energy company out of
2 Tennessee, and it never came through. So it never did
3 anything either.

4 Q Okay, TL Harry Agricultural
5 Contractors?

6 A That is something that I was hoping
7 would start this year, but I haven't done anything
8 with it.

9 Q Okay.

10 A I have lots of ideas of great
11 businesses that never come through.

12 Q That is okay. I would keep trying.

13 All right, and are you currently
14 employed?

15 A Just self-employed.

16 Q Okay, doing?

17 A Basically just a sole proprietor. I
18 haul horses for people if they need horses. The 3500
19 and the horse trailer is what I use for that, so just
20 hauling horses.

21 Q All right. Is that your '18 tax
22 return?

23 A Uh-huh.

24 Q You owed about \$1,100 last year. Is

1 that right?

2 A Yes.

3 Q Okay, do you have your '19 tax return
4 done?

5 A I haven't filed them yet, no.

6 Q All right, as soon as you do, I need
7 you to get that to counsel.

8 A Okay.

9 Q You don't have any pay stubs, correct?

10 A No.

11 Q Okay, and how about bank accounts?

12 A Yes. I brought my most recent and then
13 a few months back because of the influx of the sale of
14 the home made that month look like I was doing really
15 good. So it starts at the most recent and then back a
16 couple of months.

17 Q So does this show where the twenty some
18 thousand went to the IRS?

19 A In the one, I believe it should be
20 ending 210 possibly. There is just a lot of -- if you
21 look through it, the payments, there are a lot of IRS
22 tax payments.

23 Q The one ending in 210?

24 A I think it -- yes, because I think it

1 runs from January 10th to February 10th or something
2 like that.

3 Q Yes, got you.

4 A I think it is in that month or it
5 should be.

6 Q Okay, U.S. tax payment, I got it, yes.

7 A And I still owe them a good bit, but I
8 guess I am going to be trying to work out a payment
9 plan.

10 MS. ELLIS: Okay, there you go. Are there
11 any creditors here for Travis Harry?

12 (No response.)

13 MS. ELLIS: I see none. I will just remind
14 you to get your second debtor education class again.

15 THE WITNESS: I have that here actually. Do
16 you need a copy of this?

17 MS. ELLIS: No.

18 MR. PEPPER: We have got it.

19 MS. ELLIS: All right.

20 THE WITNESS: You have got it?

21 MR. PEPPER: Yes, we have got it right here.

22 THE WITNESS: Okay.

23 MS. ELLIS: All right, you are good to go.

24 THE WITNESS: Thank you.

1 MS. ELLIS: Thank you.
2 (Witness excused.)
3 (WHEREUPON, the Meeting of
4 Creditors was continued.)
5

REPORTER'S CERTIFICATE

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, to-wit:

I, Donna Miller-Mairs, do hereby certify that the foregoing is, to the best of my skill and ability, a true and accurate transcript of all the testimony adduced or proceedings had as set forth in the caption hereof.

Given under my hand this 29th day of June, 2020.

Donna Miller-Mairs
Certified Court Reporter